

<b>TO: Mail Stop 8</b> <b>Director of the U.S. Patent &amp; Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR</b> <b>TRADEMARK</b>
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been  
filed in the U.S. District Court Northern District California on the ☒ Patents or ☐ Trademarks:

DOCKET NO. <b>CV 11-00902 JCS</b>	DATE FILED <b>2/25/2011</b>	U.S. DISTRICT COURT <b>450 Golden Gate Avenue, 16<sup>th</sup> Floor, San Francisco, CA 94102</b>
PLAINTIFF <b>ALEXX INC</b>		DEFENDANT <b>PUKA CREATIONS LLC</b>
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
<b>1 7,537,032</b>		<b>***See Attach Complaint***</b>
<b>2 7,308,922</b>		
<b>3</b>		
<b>4</b>		
<b>5</b>		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
<b>1</b>		
<b>2</b>		
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<b>5</b>		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK  Richard W. Wicking	(BY) DEPUTY CLERK  Gina Agustine-Rivas	DATE  March 1, 2011
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Copy 1—Upon initiation of action, mail this copy to Commissioner    Copy 3—Upon termination of action, mail this copy to Commissioner  
Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner    Copy 4—Case file copy

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7 Attorneys for Plaintiff  
ALEXX, INC.  
8

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 ALEX, INC., a California corporation,  
13 Plaintiff,  
14 v.  
15 PUKA CREATIONS, LLC, a California  
16 limited liability company,  
17 Defendant.  
18

19 Plaintiff Alexx, Inc. (hereinafter "Alexx") hereby alleges, based on actual knowledge with  
20 respect to Plaintiff and its acts, and on information and belief with respect to other matters, as  
21 follows:

22 **NATURE OF ACTION**

23 1. This is an action for infringement of United States Patent No. 7,308,922 ("the '922  
24 Patent"), and United States Patent No. 7,537,032 ("the '032 Patent") (collectively, "the Alexx  
25 Patents"). True and correct copies of the Alexx Patents are attached as Exhibit A and Exhibit B,  
26 respectively.  
27  
28

ORIGINAL  
FILED

2011 FEB 25 P 1:51

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-filing

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a  
document which was electronically filed with the United States  
District Court for the Northern District of California.

Date Filed: 2/25/11

RICHARD W. WIEKING, Clerk

By: GINA AGUSTINE, Deputy Clerk

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JCS

CV11

0902

Case No.

COMPLAINT FOR PATENT  
INFRINGEMENT

JURY TRIAL DEMANDED

## SUMMARY OF COMPLAINT

2. In April 2004, Sandra Stein, founder of Alexx, invented the FINDERS KEY PURSE key locator. The key locator is an innovative product for locating keys or other easily misplaced objects. The key locator allows a person to attach such easily misplaced objects to the key locator and hang the locator on a purse or similar article. From the outside of the purse or similar article, the key locator is visible and, on the inside of the purse or similar article, the attached objects are securely attached to the key locator and can therefore be easily retrieved.

3. Alexx has enjoyed substantial commercial success with the key locator, distributing the product through more than 1000 sales representatives throughout the United States, including retail gift stores, chains, and catalogs such as Hallmark, Coach House Gifts, The Mole Hole, and Solutions. Through this network of vendors, Alexx has sold more than six million of the key locators.

4. The innovativeness of Alexx's key locator has received national recognition. In November 2006, the San Fernando Valley Business Journal highlighted the novelty of Alexx's key locator. In February 2007, Sandra Stein was featured in an episode of the nationally syndicated Oprah Winfrey television series showcasing unique innovations. Alexx has subsequently been featured in Entrepreneur, NAWBO.org, MomInventors.com, MomtoMomchat.com, Bizymoms.com, Country Business, and PopularArticles.com. Moreover, Sandra Stein has regularly appeared on the QVC home shopping network selling Alexx's patented key locator.

5. Defendant Puka Creations, LLC ("Puka" or "Defendant") has profited from Alexx's innovation by selling key locators that infringe the Alexx Patents.

6. On January 25, 2011, the undersigned counsel, on behalf of Alexx, sent a first cease and desist letter to Defendant demanding that Puka stop selling key locators that infringe the Alexx Patents.

7. Puka's counsel responded on January 27, 2011, stating that he would respond to Alexx's January 25<sup>th</sup> cease and desist letter by February 15, 2011.

8. Puka did not respond to Alexx's cease and desist letter by February 15, 2011, or on

1 any date before the filing of this complaint.

2 9. Puka continues to sell key locators that infringe the Alexx Patents.

3 **THE PARTIES**

4 10. Alexx is a California corporation, having its principal place of business at 6430  
5 Variel #101, Woodland Hills, California, 91367.

6 11. Defendant Puka Creations, LLC is a California limited liability company, doing  
7 business at least as www.pukacreations.com and with a principal place of business at 16840 S.  
8 Main St., Gardena, California 90248.

9 **JURISDICTION AND VENUE**

10 12. This is an action for patent infringement under Title 35 of the United States Code,  
11 and, therefore, this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and  
12 1338(a).

13 13. This Court has personal jurisdiction in this action because Puka is a California  
14 limited liability company and conducts business in the State of California.

15 14. Venue is proper in this judicial district under 28 U.S.C. §§ 1391 (b) and (c) and  
16 1400 (b). On information and belief, Puka via its website www.pukacreations.com has made  
17 sales of infringing product in the Northern District of California.

18 15. Intradistrict Assignment: Pursuant to General Order 44(D)(5), venue is proper in  
19 any courthouse in this District.

20 **FIRST CLAIM FOR RELIEF**

21 (Infringement of United States Patent No. 7,308,922 B20)

22 16. Alexx incorporates paragraphs 1 through 15 herein by reference.

23 17. On December 18, 2007, the '922 Patent for Alexx's key locator was duly and  
24 legally issued in the name of Sandra Stein. By virtue of proper assignment, Alexx acquired and  
25 duly owns all right, title, and interest in the '922 Patent, including the right to sue and recover for  
26 any infringement.

27 18. Defendant has infringed the '922 Patent by offering to sell and selling key locators  
28 embodying the invention claimed in the '922 Patent within the United States.



- 1 (c) Award Alexx damages resulting from Defendant's infringement in  
2 accordance with 35 U.S.C. § 284 for an amount to be determined at trial;  
3 (d) Award Alexx treble damages in accordance with the provisions of 35  
4 U.S.C. § 284;  
5 (e) Find the case to be exceptional under the provisions of 35 U.S.C. § 285;  
6 (f) Award Alexx reasonable attorneys' fees under 35 U.S.C. § 285;  
7 (g) Award Alexx interest and costs; and  
8 (h) Award Alexx such further relief to which the Court finds Alexx is entitled  
9 under law or equity.

10 **DEMAND FOR JURY TRIAL**

11 Plaintiff hereby demands a jury trial on all issues so triable.

12 Dated: February 25, 2011

Respectfully submitted,

13 JONES DAY

14  
15 By: 

16 Brett A. Lovejoy

17 Counsel for Plaintiff  
ALEXX, INC.